

R E M A R K S

Reconsideration of this application, as amended, is respectfully requested.

RE: FINALITY OF THE OFFICE ACTION

The Examiner is thanked for issuing an Interview Summary dated August 23, 2010, advising Applicants to treat the outstanding Office Action as non-final.

RE: THE INFORMATION DISCLOSURE STATEMENTS

It is respectfully requested that the Examiner return signed and initialed copies of the IDS forms submitted with the IDSs filed on August 17, 2010, and August 3, 2009, in order indicate that all of the documents cited in these IDS forms have been considered and made of record.

THE CLAIMS

Independent claims 8 and 21 have been amended to more clearly recite the distinguishing features of the present invention based on, for example, the disclosure in Figs. 10-12 and the disclosure in the specification at paragraph [0105] on pages 59-60. In particular, independent claims 8 and 21 have been amended to clarify that: (i) portions of the topsheet along both sides in the longitudinal direction of the absorbent body are folded up to the topsheet side and are adhered to the

topsheet; (ii) the backsheet covers the absorbent body so as to cover from a bottom face of the absorbent body to side surfaces of the absorbent body, and the backsheet includes folding portions which are folded up to the topsheet side along both side portions in the longitudinal direction of the absorbent body; and (iii) a part of each of the folding portions is adhered along a corresponding one of the folded portions of the topsheet, so as to cover both of the folded portions of the topsheet and so as to be flat along both side portions in the longitudinal direction of the absorbent body.

No new matter has been added, and it is respectfully requested that the amendments to the claims be approved and entered.

THE PRIOR ART REJECTION

Claims 8, 9, 11 and 21 were rejected under 35 USC 102 as being anticipated by newly cited JP 2000-300606 ("Abiko"). In addition, claim 12 was rejected under 35 USC 103 as being obvious in view of the combination of Abiko and newly cited US 2003/0099821 ("Takai et al"). These rejections, however, are respectfully traversed with respect to the claims as amended hereinabove.

According to the present invention as recited in independent claims 8 and 21, an absorbent article or an inner absorbent

article is provided which comprises a liquid-permeable topsheet positioned at a surface that is contactable with a human body, a non liquid-permeable backsheet positioned at a surface opposite to the topsheet, an absorbent body provided between the topsheet and the backsheet, and three-dimensional gathers formed at the topsheet side to be raised at both side portions in a longitudinal direction of the absorbent body.

In addition, and significantly, as recited in each of amended independent claims 8 and 21: (i) portions of the topsheet along both sides in the longitudinal direction of the absorbent body are folded up to the topsheet side and are adhered to the topsheet, (ii) the backsheet covers the absorbent body so as to cover from a bottom face of the absorbent body to side surfaces of the absorbent body, and the backsheet includes folding portions which are folded up to the topsheet side along both side portions in the longitudinal direction of the absorbent body, and (iii) a part of each of the folding portions is adhered along a corresponding one of the folded portions of the topsheet, so as to cover both of the folded portions of the topsheet and so as to be flat along both side portions in the longitudinal direction of the absorbent body.

Still further, as recited in independent claims 8 and 21, non liquid-permeable nonwoven fabrics are adhered to surfaces that are opposite to surfaces of the folding portions that face

the topsheet to form the three-dimensional gathers, wherein the non liquid-permeable nonwoven fabrics are adhered to the flat folding portions so as to form flat root portions of the three-dimensional gathers along both side portions in the longitudinal direction of the absorbent body, and wherein the three-dimensional gathers are raised from the flat root portions along both side portions in the longitudinal direction of the absorbent body.

With this structure of the present invention as recited in amended independent claims 8 and 21, since parts of the folding portions of the backsheet and the folded portions of the topsheet (that are folded up to the topsheet side and adhered to the topsheet) are adhered to each other such that the folding portions of the back sheet cover the folded portions of the topsheet, flat root portions of the three-dimensional gathers are securely fixed to the topsheet. As a result, the three-dimensional gathers can be firmly raised with a sufficient height and this not only maintains a good absorption performance but also provides a reliable appearance to the user.

In addition, with the structure of the claimed present invention, since the backsheet covers the absorbent body so as to cover from a bottom face of the absorbent body to side faces and a part of the upper face (folding portion), the flat root portion of the three-dimensional gathers is structured in a three-

dimensional manner by the backsheet which is a non liquid-permeable sheet. As a result, an advantageous effect is produced whereby body fluid pressed out of the absorbent body is prevented from being leaked or oozed out from the flat root portions of the three-dimensional gathers when the absorbent pad receives pressure from the body of the user. See paragraph [0103] on pages 58-59 in the specification.

It is respectfully submitted that Abiko does not achieve or render obvious the above described claimed structural features and advantageous effects of the present invention as recited in each of amended independent claims 8 and 21.

In particular, it is respectfully pointed out that in Abiko the topsheet 2 is not folded up to the topsheet side along both sides in the longitudinal direction of the absorbent body to be adhered to the topsheet 2 itself. See Fig. 6 of Abiko cited by the Examiner. Instead, in Abiko, edge portions of the topsheet 2 along both sides in the longitudinal direction of the absorbent body are merely disposed between the three-dimensional gathers 7a or 7b and the backsheet 1 in a flat state.

In addition, it is respectfully pointed out that the backsheet 1 of Abiko does not cover the absorbent body so as to cover from a bottom face of the absorbent body to side surfaces of the absorbent body, and the backsheet 1 of Abiko does not include folding portions which are folded up to the topsheet side

along both side portions in the longitudinal direction of the absorbent body, wherein a part of each of the folding portions is adhered along a corresponding one of the folded portions of the topsheet, so as to cover both of the folded portions of the topsheet and so as to be flat along both side portions in the longitudinal direction of the absorbent body.

Takai et al, moreover, has been merely cited to disclose a ramie nonwoven fabric.

Accordingly, it is respectfully submitted that even if Abiko and Takai et al were combinable in the manner suggested by the Examiner, such combination would still not achieve or render obvious the above described claimed structural features of the present invention as recited in amended independent claims 8 and 21, whereby (i) portions of the topsheet along both sides in the longitudinal direction of the absorbent body are folded up to the topsheet side and are adhered to the topsheet; (ii) the backsheet covers the absorbent body so as to cover from a bottom face of the absorbent body to side surfaces of the absorbent body, and the backsheet includes folding portions which are folded up to the topsheet side along both side portions in the longitudinal direction of the absorbent body; and (iii) a part of each of the folding portions is adhered along a corresponding one of the folded portions of the topsheet, so as to cover both of the folded portions of the topsheet and so as to be flat along

both side portions in the longitudinal direction of the absorbent body.

In view of the foregoing, it is respectfully submitted that amended independent claims 8 and 21, and claims 9, 11 and 12 depending from claim 8, clearly patentably distinguish over the cited references, taken singly or in combination, under 35 USC 102 as well as under 35 USC 103.

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Entry of this Amendment, allowance of the claims, and the passing of this application to issue are respectfully solicited.

If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned at the telephone number given below for prompt action.

Respectfully submitted,

/Douglas Holtz/

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